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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/695,491

10/28/2003

David A. Johnson

100110840-1

8164

22879 7590 09/19/2007

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

BRINICH, STEPHEN M

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

09/19/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10695491	10/28/03	JOHNSON, DAVID A.	100110840-1

HEWLETT PACKARD COMPANY
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EXAMINER

Stephen M. Brinich

ART UNIT	PAPER
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2625

20070911

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Office Action Summary	Application No. 10/695,491	Applicant(s) JOHNSON, DAVID A.	
	Examiner Stephen M. Brinich	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,5,7-9,12-14,18-20,23-26,28-30,33-40 and 42-44 is/are rejected.
- 7) ☒ Claim(s) 2-4,6,10,11,15-17,21,22,27,31,32 and 41 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/28/03</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7-9, 12-13, 19-20, 23-26, 29-30, 33-40, & 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu et al (US 5956469)

Re claims 1, 12-13, & 44, Liu et al discloses (Figures 4 & 8; column 4, lines 40-51; column 6, lines 26-41) a printing system having a print unit and a calibration system which learns a correct calibration by receiving a master calibration page having color value indicia, and measuring the color value indicia to determine calibration target color values which are then used to calibrate the print unit.

Re claims 7, 9, 19, Liu et al discloses (column 4, lines 62-64) the use of an external scanner to sense and measure the color value indicia and provide calibration for the print unit.

Re claims 8 & 20, the master calibration page (Figure 8) bears finished color value indicia.

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Re claims 14 28, Liu et al discloses (Figure 5) the determination of a target color value curve from the measured color value indicia.

Further re claims 23-26 & 29-30, 33-40, Liu et al discloses (column 4, line 52 - column 5, line 7) that a digital image processor performs instructions (which must inherently be stored in a medium readable by the processor) for carrying out this printing system.

3. Claims 1, 5, 7-9, 12-14, 18-20, 23-26, 28-30, 33-40, & 42-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Gregory Jr et al (US 5818960).

Re claims 1, 12-13, & 44, Gregory Jr et al discloses (Figures 4-5; column 6, line 42 - column 7, line 12) a printing system having a print unit and a calibration system which learns a correct calibration by receiving a master calibration page having color value indicia, and measuring the color value indicia to determine calibration target color values which are then used to calibrate the print unit.

Re claims 5, 18, & 42-43, Gregory Jr et al discloses (Figure 1) the calibration of multiple printers using this arrangement.

Re claims 7, 9, & 19, Gregory Jr et al discloses (Figure 1; column 6, lines 42-55) the use of an external scanner to sense

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and measure the color value indicia and provide calibration for the print unit.

Re claims 8 & 20, the master calibration page (Figure 8) bears finished color value indicia.

Re claims 14 & 28, Gregory Jr et al discloses (column 6, lines 47-51) the determination of a target color value curve from the measured color value indicia.

Further re claims 23-26, 29-30, & 33-40, Gregory Jr et al discloses (column 3, lines 56-65; column 6, lines 47-51) that a digital image processor performs instructions (which must inherently be stored in a medium readable by the processor) for carrying out this printing system.

Allowable Subject Matter

4. Claims 2-4, 6, 10-11, 15-17, 21-22, 27, 31-32 & 41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

Re claims 2-4, 15, & 31, the art of record does not teach or suggest the recited selection of normal mode as an

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alternative to the calibration learning mode in conjunction with the recited calibration arrangement.

Re claims 6, 16-17, 27, 32, & 41, the art of record does not teach or suggest the recited designation area for distinguishing a master calibration page from a local calibration page in conjunction with the recited calibration arrangement.

Re claims 10 & 21 (and dependent claims 11 & 22), the art of record does not teach or suggest the recited selective calibration based on a comparison of predicted color values derived from applied colorant levels and target color values in conjunction with the recited calibration arrangement.

Conclusion

6. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

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The examiner's unit designation has been changed from "Art Unit 2624" to "Technology Division 2625" (as of March 20, 2006).

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.



Stephen M Brinich
Examiner
Technology Division 2625

smb

September 12, 2007